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COMMISSION ON HUMAN RIGHTS

Fifty-sixth session

SUMMARY RECORD OF THE 12th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 28 March 2000, at 10.00 a.m.

<u>Chairman</u>	Mr. SIMKHADA	(Nepal)
later:	Mr. JAKUBOWSKI (Vice-Chairman)	(Poland)
later:	Mr. SIMKHADA (Chairman)	(Nepal)

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STATEMENT BY THE DEPUTY MINISTER OF JUSTICE OF VIET NAM

STATEMENT BY THE MINISTER OF HIGHER EDUCATION OF TUNISIA

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GE.00-12136 (E)

The meeting was called to order at 10.15 a.m.

THE RIGHT TO DEVELOPMENT (agenda item 7) (continued) (E/CN.4/2000/19, 20 and 21; E/CN.4/2000/NGO/54, 70, 99 and 123, E/CN.4/1999/WG.18/2)

1. Mr. HAMZAH (Observer for Malaysia) said that several speakers had commented on the inequalities persisting in the world more than 50 years after the adoption of the International Bill of Human Rights. There was a clear international consensus regarding the need fully to operationalize those rights. However, as long as deprivation in a "sea of plenty" existed, there would also always be need for voices to be raised concerning the right to development.
2. With the adoption of the Declaration on the Right to Development, the international community had questioned the notion that the improvement of economic indicators was the primary objective of economic activity, recognizing instead that human beings - both individually and collectively - should be the principal beneficiaries of development. While indicators related to the right to development were useful, benchmarks should be ascertained nationally in view of the specificity of country situations and of the individual and collective behaviour of different peoples.
3. As part of current national development policy prioritizing "people development", his Government had recently devised a Malaysian Quality of Life Index, which represented an aggregation of some 38 indicators and provided an appropriate national indicator for the realization of the right to development.
4. A "virtuous circle" of economic development and further promotion and protection of human rights depended on the formation of "smart" North-South and South-South partnerships and on closer collaboration between Governments and civil society. The responsibility for realizing the right to development must be a shared one.
5. Mrs. ABOULNAGA (Observer for Egypt) said that the right to development brought together civil and political rights and economic and social rights and demonstrated that rights and responsibilities were complementary. As the High Commissioner for Human Rights had stated, development was a right to which all countries were equally entitled. It was the right and the responsibility of every State to adopt development plans consistent with its political, social and cultural traditions. The international community must provide developing countries with assistance in eradicating poverty and raising the living standards of their peoples.
6. She welcomed the formation of the working group on the right to development and urged all delegations to cooperate fully with that group. She suggested that the Office of the High Commissioner (OHCHR) should arrange a two-day meeting of experts to be held prior to the meeting of the working group in order to allow of an exchange of views between independent experts.
7. Solidarity was the essence of the right to development: many delegations had mentioned the need for cooperation, but she considered that there was also a need for solidarity. Cooperation could not be limited to civil and political rights and ignore economic, social and cultural rights or the right to development. ...

8 The CHAIRMAN said that the speaker had exceeded her allotted time.

9 Mr. MAMDOUHI (Observer for the Islamic Republic of Iran) said that, despite affirmations of the universal and inalienable nature of the right to development, little progress had been made in implementing the Declaration on the Right to Development. A holistic approach was needed if new and traditional obstacles to the realization of the right were to be overcome.

10 Although human development was the collective responsibility of the entire community of nations, crucial macroeconomic and monetary policies with far-reaching impacts on the world economy were currently decided by a mere handful of developed countries. The international economic environment could not be made more responsive to the needs of the majority of the world's people if the developing countries continued to be sidelined in economic policy coordination.

11 One obstacle to the realization of the right to development was the transboundary effect of unilateral coercive measures and practices on the economies, development and human rights of peoples in other countries. In breach of the principle of free international economic relations, certain countries were currently using their economic influence to intensify the extra-territorial application of domestic legislation against developing countries, thereby preventing those countries from exercising their right to determine their own political, economic and social systems.

12 The report of the independent expert on the current state of progress in the implementation of the right to development (E/CN.4/1999/WG.18/2) provided a comprehensive basis for discussion. More particularly, his delegation welcomed the proposal to establish a forum for the exchange of views between Governments and the Bretton Woods institutions. It was to be regretted, however, that the working group on the right to development had not met, since it might have been able to offer some constructive proposals to the Commission.

13 Mr. BENCHERIR (Observer for Algeria) said that the 1999 Human Development Report of the United Nations Development Programme (UNDP) illustrated the impact of underdevelopment on human security. The world had made no real progress in implementing the Vienna Declaration and Programme of Action. Indeed, the development gap between rich and poor countries had actually widened. As the UNDP report graphically illustrated, the past decade had seen income, resources and wealth further concentrated in a small number of individuals, corporations and countries. Since the end of the cold war, it was the intolerable discrepancies in levels of development between countries which divided the world. It was no coincidence that all the developing countries had once been under colonial rule.

14 Although the prime responsibility for development lay with Governments, an enabling international environment was essential to furthering national efforts, particularly in view of the presence of non-State actors whose activities had a direct impact on the development and living conditions of nations. In the absence of appropriate social safeguards, market forces alone could not meet the aspirations of the developing countries. Strengthened cooperation was thus essential in a globalized world if the problems outside the control of national Governments were

to be effectively addressed. Globalization might have led to the free movement of goods and capital, but it had not yet resulted in any progress or development benefits for the majority of the world's population.

15. In the absence of bold concerted action, the gap between developed and developing countries would inevitably widen. The extent of the threat posed by underdevelopment to international peace and security was usually underestimated. If alternative North-South relations were to evolve, the developed world must take cognizance of the impact of an impoverished South on its own stability and well-being and international practices and policies must be radically rethought. World peace, together with sustainable prosperity, in the North would be impossible without accelerated development in the South.

16. New partnerships based on equal rights to development were necessary for the effective tackling of global issues such as the environment, drug trafficking, organized crime and refugee flows. To that end, constructive and substantive dialogue between North and South was indispensable.

17. The right to development must therefore be addressed in terms of such crucial issues as structural adjustment, foreign debt, capital flows for development, equitable participation in world financial markets, access to technology, and scientific and technical capacity-building for the South.

18. Mr. RAMIREZ BOETTNER (Observer for Paraguay) said that the adoption of the Declaration on the Right to Development had been the culmination of international efforts on behalf of human rights. Similar progress had been achieved in his own country, where, following the fall of the dictatorship in 1989, democracy had been established and full respect for human rights enshrined in the new Constitution. There was, however, a practical difficulty in ensuring enjoyment of the rights contained in the international instruments and Paraguayan law, namely a lack of financial resources which, in turn was due to the problem his country faced in selling its agricultural produce. The developed countries either had closed markets or imposed quotas, together with high tariffs and export subsidies, while, as a landlocked country, Paraguay incurred higher costs in reaching international markets.

19. The lack of resources had to be remedied before his Government could improve the lot of the average Paraguayan, especially in the fields of education, health and infrastructure. The Government was engaged in discussion in international forums, especially the World Trade Organization (WTO) in an endeavour to persuade the developed countries to open up their markets, especially for agricultural produce, and thus practise what they preached concerning international solidarity and free trade.

20. International cooperation had been most useful in providing training in developing countries, speeding the progress of development through education and introducing new technologies to improve production, especially in agriculture. The scale of official development assistance (ODA) had diminished, however, and the target of 0.7 per cent of gross domestic product (GDP) had been quietly forgotten. The solution was therefore to open up markets, abolish distorting subsidies and base international trade on solidarity and mutual assistance.

21. Mr. SCARBI (Observer for Uruguay), reaffirming his country's full commitment to and support for the right to development, said that the priority accorded to development in his reform programme by the Secretary-General of the United Nations had conveyed the clear message that multilateral treatment of the subject was being consolidated in the international agenda. His delegation attached great importance to the work of the open-ended working group on the right to development and trusted that the procedural resolution to be submitted on the subject would be adopted by consensus, thereby enabling substantive work to begin on devising clear and specific guidelines for the promotion of the right.

22. The interdependence of the subject of the right to development called for greater dialogue between OHCHR and the multilateral financial institutions, since the development strategies promoted in recent years by these institutions had entailed limitations on the development process. The new approach by the institutions to strategies and policies must take account of the social and human dimensions of development.

23. Uruguay had implemented a number of national measures on behalf of human development, notably in the areas of health and education. Its education reform had brought thousands of four-to-five-year-olds into the education system and had resulted in a 50 per cent fall in the level of school drop-outs and an increase in student registration. Uruguay currently earmarked 10 per cent of its GDP for health services, and reduced infant mortality had led to an increase in life expectancy in the various age groups.

24. His Government wished to emphasize the importance of multilateral trade in achieving the objectives of the right to development. At Seattle in 1999, the Minister for Foreign Affairs of Uruguay had outlined the Government's position regarding the agricultural sector in his statement to the WTO Ministerial Conference. It was crucially important for Uruguay that the agricultural sector be governed by the WTO rules and disciplines.

25. Mr. BRENNAN (Observer for South Africa) said that the important right to development had remained largely conceptual and theoretical because, rightly or wrongly, it had been the subject of tension between North and South. His delegation thus welcomed the statement by the High Commissioner for Human Rights that primary responsibility to act for the realization of the right to development and in defence of economic, social and cultural rights rested with Governments. It also strongly endorsed her call for non-discrimination in the implementation of all human rights and her stress on the importance of international cooperation to that end.

26. While the overwhelming majority of States recognized that a commitment to promoting the broad range of human rights was the primary responsibility of national Governments, it was not possible for the Governments to do so alone, especially in a world characterized by the reduced power of the State, globalization, crippling foreign debt, structural adjustment policies and ever-dwindling levels of ODA.

27. The right to develop was an overarching right which transcended other rights, ensuring that individuals were enabled to move from being subjects to being citizens able to make choices. Its most vital element was the fact that its conceptualization formed a broad framework within which all human rights found practical expression, and it could be perceived as being implemented only when individuals within States enjoyed all their economic and political rights.

28 His own Government's Reconstruction and Development Programme was designed to redress the social and economic imbalances that still existed in the country and to ensure access by all persons to basic needs and services. By reprioritizing the national budget, the Government had ensured that over 60 per cent of public expenditure was devoted to meeting basic economic and social needs.

29 His delegation hoped that the Commission would be able to forge a consensus around the right to development and believed its initiatives should seek to focus on national experiences aimed at the practical realization of the broad range of human rights, and to make them a major determinant in development in all States by promoting national development planning based on international human rights norms, encouraging national human rights action plans to integrate all human rights and place them in a human development perspective, calling on national human rights institutions to incorporate the right to development in their mandates, and promoting human rights education as a link between human rights and development.

30 Mr. Jakubowski (Poland), Vice-Chairman, took the Chair

31 Mr. MADI (Observer for Jordan) said that, although it was a fundamental human right to which all people in the world were entitled, the right to development should not be used to justify the non-implementation of other rights. The concept of development involved all the economic aspects of life, and an adequate structure had to be found to allow people to enjoy the right to development and to benefit from it. Once the right to development was implemented, it would result in increased employment and reduced poverty.

32 Human rights were indivisible and there had to be an objective balance between them all. The State was the only entity responsible for establishing priorities for development, but it needed the participation of civil institutions and national and non-governmental organizations (NGOs). There was also a need to strengthen the role of international organizations in ensuring that the public was aware of projects.

33 One of the main obstacles to implementation of the right to development was the burden of debt, which jeopardized social structures within States. Economic readjustment and restructuring programmes had negative impacts on populations in the short and medium term. The new concept of development stressed the human element and the need to enshrine the concept of sustainable development through implementation of new instruments that were in keeping with the development needs of individual countries.

34 His delegation welcomed the efforts of the High Commissioner for Human Rights to implement the principles of the right to development and the establishment of the open-ended working group on the right to development. It also supported the recommendations made at the workshop held in San'a, Yemen, in February 2000.

35 Mr. VAN DER HEIJDEN (Observer for the Netherlands), having wholeheartedly endorsed the statement made by the representative of Portugal on behalf of the European Union, said that his delegation welcomed the manner in which the independent expert on the right to development had analysed the issue in his study (E/CN.4/1999/WG.18/2). It praised his effort to

break away from old ways of thinking and develop new ideas for tackling the development issue and agreed with the framework he proposed for operationalizing the right to development.

36 It would be an interesting task for the open-ended working group on the right to development to assess whether the model put forward by the independent expert, based as it was on a step-by-step approach to the rights to food, to primary education and to primary health care, needed to be adjusted, extended or modified. His delegation looked forward to seeing the model further developed in cooperation with the special rapporteurs, the World Bank, the regional banks and the specialized agencies.

37 He agreed with the independent expert that development assistance or foreign aid was not the only method for development cooperation. It was clear that ultimately development could not be achieved through development cooperation and assistance alone, and the independent expert should be encouraged to explore further the approach of a development compact in consultation with the various agencies he had mentioned and with the help of case studies.

38 Mr. TEKLE (Observer for Eritrea), noting that the Declaration on the Right to Development stated that effective international cooperation was essential in providing countries with appropriate means and facilities to foster their comprehensive development, said that international cooperation had not been as forthcoming as it should have been. It was also true that conditions beyond their control had had a baneful effect on the development of the African countries. Nonetheless, it was within the African countries themselves that the root causes of their development predicaments were to be found and the primary responsibility for their solution lay with those countries' Governments.

39 In the past two decades, Africa had experienced a steady deterioration in the quality of life of its people, the most important cause of which had been conflict between and within States. Almost all the countries in the Horn of Africa had found it impossible to sustain any significant development programmes because of the interminable conflict in the subregion. The armed conflicts between and within States had destroyed capital and shattered infrastructure, reduced savings and investment, triggered massive capital flight, and diverted resources towards military expenditure.

40 The Horn of Africa was still in turmoil, and it was not possible for any development to take place there. Indeed, the conditions bedevilling the subregion should provide food for thought concerning the causes and consequences of conflict in Africa, and help the international community to appreciate the intrinsic relationship between peace and development. It would be heartening if the Commission were to adopt a resolution spelling out the actions that the international community must take on peace and development on the basis of the lessons learned from the experience of the Horn of Africa.

41 Mr. HASSAN (Observer for Yemen), said that the importance of the right to development had been demonstrated by the holding of a workshop on the subject in San'a, Yemen, in February 2000, a workshop that had been attended by the High Commissioner for Human Rights. It was his Government's hope that the international and regional cooperation

that had taken place during the workshop would result in decisions and recommendations that would reduce poverty and improve living standards, ensuring the realization of all human rights, including the right to development.

42. Development was an urgent necessity for developing countries desirous of eliminating the scourges afflicting them. In its implementation of human rights, his country had encountered difficulties in respect of financial and administrative reforms which would have a very significant impact on the national economy. Although its programme to implement human rights had enjoyed support from Germany, the Netherlands and Japan, it needed further support to be successful.

43. The CHAIRMAN asked the representatives of NGOs to begin their statements by giving the name of the NGO on whose behalf they were speaking. Written copies of their statements should be made available in advance to the conference officers. When those written copies identified a speaker, it was assumed that he or she would actually deliver the statement. If that was not so, another duly accredited member of the same NGO should give his or her name, and request that the name indicated on the advance copies be changed. In that way, misrepresentations would be ruled out and misunderstandings avoided.

44. Mr. MIOT (International Federation of Rural Adult Catholic Movements) said that all the actors engaged in implementation of the right to development hoped that their expectations would not be dashed and that the programme of human development in the current phase of globalization would focus on the essential points that met the fundamental needs of rural populations before meeting the demands of the markets. The WTO Ministerial Conference in Seattle had encountered the forces of civil society bent on curbing the ravages of uncontrolled globalization and its consequences for the daily lives of individuals and the future of societies.

45. For the first time, the relentless pursuit of unfettered liberalism was being very strongly challenged. World public opinion was no longer prepared to be left outside the debates which affected it directly. Agriculture lay at the heart of the debate, and the rural movements and peasant organizations within his Federation, concerned as they were that the markets held sway over the need for sustainable and equitable development and that the powerful multinational food companies dictated the future of small producers, were mobilizing and organizing to implement other forms of production and trade.

46. The rural movements that the Federation represented wished to draw the attention of the international community to a number of points, namely, the need to recognize and guarantee the sovereignty of States in implementing sustainable development policies; the need for an evaluation of WTO policies so that social, cultural and environmental criteria, as well as the fact that countries were at different stages of development, were taken into account in any new negotiations; the need for States to intervene and demand the strictest transparency and democracy in the way the WTO operated; the need to prevent the developing countries from being marginalized in the negotiations and excluded from discussion of matters of vital importance for their peoples and their future; the need for trade to be subject to international law; and the need for greater coherence between the rules of trade and human rights.

47. Mr. LADOR (Earthjustice Legal Defense Fund) said that the Narmada Valley development project in Central India was a good example of the contradiction between projects developed for the "common good" and massive violations of human rights. As a result of the project - whereby 3,000 small dams, 135 medium dams and 30 large dams were to be built - more than 100,000 people had already been displaced without any real and appropriate resettlement. The largest dam would eventually be 138 metres high and would displace 200,000 people according to the official estimate. There would not be enough land and infrastructure to relocate such a large number of people, and they would end up in the slums. Since 1986, the people of the Narmada Valley - who were mainly untouchables - had been involved in a movement of non-violent resistance, that had been met by repression, mass arrest, physical violence and intimidation.

48. The Commission must look into violations of fundamental rights caused by development activities. Large-scale projects were possible only with the involvement of international agencies, bilateral aid and private companies, and the Commission was the only body that could clearly establish the facts so that all the actors, in a spirit of cooperation, were able to take the right decisions regarding the human rights consequences of their investments.

49. Ms. THORNTON (Human Rights Advocates) said that international institutions, including the World Bank and WTO, worked on the assumption that economic development automatically meant higher standards of living for all. In fact, however, human rights were often violated in the name of development. The environment, for instance, must not be viewed as distinct from human rights since environmental damage compromised the health and welfare of individuals. When poor people who depended on natural resources for their survival objected to the environmental degradation of their lands and asserted their right to participate in government, they were often silenced through torture, arbitrary detention and extrajudicial killings.

50. Cooperation between the Bretton Woods institutions and other United Nations bodies had been improved, but environmental and human rights considerations needed to be further integrated into analyses of the benefits of economic development. Such considerations must cover the costs of displacing peoples, the lack of access to political process, the impact of environmental degradation on health and the destruction of natural resources.

51. Gross National Product (GNP) as such did not provide an accurate measurement of widening income disparities. Her organization thus agreed that international mechanisms should be developed to ensure a more equitable distribution of the benefits of economic growth, with a view to improving the health and welfare of individuals. The heavily indebted poor countries (HIPC) initiative was most welcome in that connection. The mandate of the Special Rapporteur on the illicit movement and dumping of toxic waste should be expanded to include the broader issue of human rights and the environment or else the appointment of a Special Rapporteur on human rights and the environment should be considered.

52. Mr. MBOMIO (North-South XXI) said that discussion of the current item should take due account of the UNDP Human Development Report and particularly of its development indicators. The UNDP data should be incorporated into the Commission's basic working documents. A less inequitable distribution of the world's wealth would constitute a major step towards solving fundamental social problems. Attempts to cause NGOs to act primarily as

buffers against the harsh social consequences of liberalization and globalization represented a return to the nineteenth century and to the human costs of the industrial revolution.

53. Not only was the South refused the right to development, but that right was increasingly contested by the developed countries in the name of market logic which concentrated wealth in the hands of a few. That same logic favoured a consumerism which desecrated natural and human resources. The Commission must make a comprehensive assessment of the obstacles to the realization of the right to development.

54. Mr. QUIGLEY (Franciscans International) said that the seminar co-hosted by his organization in September 1999 had shown that there was a clear need for the intended beneficiaries to be involved in the planning and implementation of any development project. The right to development involved more than discussions about economic assistance. Transparency and accountability were necessary to ensure that funds intended for development were not misused. Women must be more involved in the planning and implementation of programmes, and the international community needed to address new ways to finance programmes to help individuals, nations and regions to develop their potential.

55. His organization shared the belief of the High Commissioner for Human Rights that development, democracy and human rights were intimately related and interconnected.

56. Mr. Simkhada (Nepal) resumed the Chair.

57. Mr. WADLOW (Association of World Citizens) said that the independent expert's study on the implementation of the right to development (E/CN.4/1999/WG.18/2) highlighted all the elements contained in the Declaration and Programme of Action on a Culture of Peace, the adoption of which by the General Assembly at its fifty-third session he warmly welcomed. The time had come to move beyond the conceptual stage, however, and make the right to development operational. The independent expert's proposals, based as they were on existing international standards, were fully feasible and there were specialized agencies, government ministries and NGOs that could carry them out. The concept of solidarity contracts, widely developed by the International Institute for Labour Studies of the International Labour Organization (ILO), would permit multi-year planning and the mobilization of resources.

58. Groups were emerging which disagreed on many issues but were united by a sense that economic and social trends were out of democratic control and that not only Governments but international agencies also were involved in the marginalization of people. Unless the human rights community could demonstrate that open, democratic structures were being put in place to achieve the right to development, the number of such angry groups would grow and they would increasingly make their presence felt.

59. Ms. JUSUF (Society for Threatened Peoples) said that the peoples of the southern Sudan had reaped no benefit at all from the exploitation of the huge reserves of crude oil under their land. On the contrary, the Sudanese Government appeared to be intent on depopulating the region around the oilfields and pipeline, employing scorched earth policies in order to achieve

that aim. In alliance with the international oil companies, that Government was denying the whole region any chance of development, and was extensively violating all the relevant human rights mechanisms.

60. The situation deserved the most serious attention, and she urged the Commission to demand that the Sudanese Government allow the free entry of human rights and relief organizations and journalists into the oil region. Refugees must be able to return to their villages and be provided with urgently needed humanitarian aid. The severe human rights violations in the area must be halted and the international oil companies urged to stop the extraction of oil until a peace treaty acceptable to all sides had been concluded.

61. Ms. FARHA (Centre on Housing Rights and Evictions) said that Governments all too often disregarded the universal understanding of development as a comprehensive economic, social, cultural and political process, preferring instead to prioritize the achievement of economic growth at the expense of human rights and the protection of the environment. That disregard was manifested in numerous violations of housing rights.

62. In addition to the millions of people displaced as a result of armed conflict, another 10 to 14 million people were being evicted from their homes for the sake of development projects, beautification schemes or international conferences. Moreover, people all over the world were living in inadequate housing, lacking proper sewage systems and clean air. At least one third of humankind had no access to clean drinking water and up to half lacked secure tenure.

63. Widows, single mothers and divorced or separated women were rendered homeless and landless because of gender-biased laws and customs denying women equal rights to control over or the inheritance of land, property and housing, and women and young people were forced to remain in situations of domestic violence because they lacked the economic resources to escape.

64. In all such abuses of housing rights, women were disproportionately affected, largely owing to the endemic discrimination against women who were, moreover, often excluded from all aspects of the development process. Her organization therefore urged the Commission to adopt the draft resolution sponsored by the delegation of Mexico on women and the right to land, property and housing and the resolution sponsored by the delegation of Germany on the appointment of a special rapporteur on housing rights. All Governments should review their legislation and customs regarding land, property and housing with a view to eliminating the discrimination suffered by women.

65. Mr. OZDEN (Centre Europe-Tiers Monde), speaking also on behalf of the Movement against Racism and for Friendship among Peoples, said that neo-liberal economic policies continued to be offered as the sole blueprint for development. As the UNDP report revealed, however, income disparities were widening as a result of economic globalization. The report of the independent expert on the right to development (E/CN.4/1999/WG.18/2) failed to address those social realities and lacked any structural and systemic analysis of root causes. In particular, no mention was made of the collective dimension of the right to development, or of political strategies towards the realization of that right.

66. It was not a question of demonizing any particular group. The blame lay with an economic and social system based on the accumulation of profit, where competition and market logic - rather than fair distribution, security or sustainable development - were the driving forces in society. It was not that individual rights, such as the right to food, health and education were unimportant, but that collective rights should also be prioritized. They included the right to collective security, to a State based on the rule of law and to the reduction of inequalities, both within and between countries.

67. It was vital, also, to assert the collective right of communities to determine the specificities of the society they wished to promote. To that end, the Bretton Woods institutions, in particular, must admit the possibility of pluralism in the elaboration of development strategies and objectives. Only then might a systematic and comprehensive analysis of the collective dimensions of the right to development be made, at both the international and national levels.

68. Mr. JOSEPH (Pax Romana) said that nearly 700 million people in 41 heavily indebted poor countries faced a debt burden of US\$ 221 billion. Loans intended for development purposes had turned into burdens. It was imperative that the Member States of the United Nations should act. Debt cancellation, however, would not be enough. New mechanisms of development financing would need to be found, since many States would still need money to propel their economies. The introduction of interest-free loans would be most desirable. Trade policies under WTO rules should also recognize human development indicators.

69. The world was not short of cash. Non-State actors, especially transnational and multinational corporations, should invest some of their profits in developing infrastructures in cooperation with States, the more so as many of them benefited financially from State resources. The level of corruption in many countries was alarming, however. Many developing nations were among the most corrupt. A global governance mechanism should be installed to monitor States' adherence to their human rights commitments.

70. Many States channelled much of their budget into unproductive expenditure such as defence. Half of Myanmar's budget went on maintaining one of the world's largest armies, whose only major "enemy" was its own people. India had increased its defence budget by 28 per cent and China by 21 per cent. It was a mockery that States should put their money into armaments and then seek development aid.

71. The right to development needed collective action by intergovernmental organizations, States and civil society. In many Latin American and Asian countries, the involvement of NGOs in development issues had been minimal, largely because they were accused of being opposed to development if they made critical comments about State policies. He called on the Commission to acknowledge more explicitly the positive role of NGOs in implementing the right to development.

72. Ms. KLEIN (Brahma Kumaris World Spiritual University) said that the right to development was an integral part of the right to life. Development had been part of the natural process of evolution long before it had been considered a right. Modern society, based on profit and competition, promoted an attitude that excluded large groups of people. It was harmful and counterproductive not to establish a culture of peace for every human being. Enabling others to

develop their personal capabilities would lead to the creation of an interactive system that would be a source of harmony for all. The "global village" required from each person a demonstration of cooperation and brotherhood, so that everyone could develop fully as a citizen of the world through the development of consciousness and freedom from negative tendencies that restricted the individual's personal development.

73. Mr. NESHAT (Organization for Defending Victims of Violence) said that the implementation of the right to development was hampered by the increasing gap between the developing and developed countries, as well as by growing conflicts, marginalization, instability and serious environmental problems. The possible solutions included the transfer of scientific know-how and technology, to removal of economic sanctions - which punished people rather than States - and the reduction of military budgets, the resulting resources being used to help developing countries pay their external debts.

74. His Organization called on the Commission to adopt measures to reduce the burden of foreign debt. It would be useful to evaluate recent experiences in that regard, clarifying how useful such efforts had been, how potential beneficiaries were defined, what kinds of conditionality were imposed and what new initiatives might be proposed.

75. Serious attention should be paid in the Western countries to the dignity of the human being. Although most economic needs were met in those countries, the dominance of materialism had overlooked the spiritual needs of individuals and communities. In the least developed countries, too, poverty and hunger led to spiritual values becoming inaccessible. It seemed that a favourable cultural environment was required for the full realization of the right to development.

76. Ms. BELLAMY (International Confederation of Free Trade Unions) said that, despite economic growth in many parts of the world, many countries were still caught in the poverty trap. What prosperity there was was inequitably shared and remained fragile. Interest rates had had to be raised in the United States of America in order to reduce consumption, while half the world population survived on less than US\$ 2 a day. The Confederation, which represented 215 trade unions in 145 countries, called for the reform of the multilateral cooperation and development system. Decent working conditions should be at the heart of a new framework in which globalization would be beneficial to all.

77. In view of the interdependence between development, democracy and human rights, more rapid development would require that democracy be strengthened, with international support for policies that respected trade unionism and other human rights, reduced military expenditure and invested more in education and health. It also required the integration of the informal sector into the development process and the introduction of labour regulations.

78. The Confederation welcomed the increased attention paid to poverty reduction, in which civil society ought to be more closely involved. Any serious commitment to reducing poverty would have to include consideration of such factors as social welfare, education, health and employment.

79. It was deplorable that the meagre resources of the poorest countries went on debt repayment rather than social expenditure. The joint initiative of the International Monetary Fund (IMF) and the World Bank, though admirable, did not go far enough to enable the most heavily indebted countries to emerge from the vicious circle of poverty and should be reviewed. The debts of Mozambique and Madagascar should be cancelled altogether.

80. One of the issues linked to development was that of post-conflict reconstruction. That was currently the situation in Kosovo, where the lack of discussion with local people on reconstruction plans, the occupation of factories by military forces and the negligent approach to economic recovery would eventually undermine the international community's efforts. East Timor also had urgent need of help. It had no labour organization and no regulation of salaries, working conditions, health or safety.

81. Ms. GREENWOOD (Liberation) said that, despite the clarity of intention in the Declaration on the Right to Development, it was becoming increasingly obvious that the more powerful States were using their strength to hinder the development of the poor economies by the use of extortionate interest rates on foreign debt. They were also resorting to forms of economic blackmail, such as the use of trade embargoes, to ensure political conformity. Indeed, some States used similar methods to impose conformity on cultural diversity within their own communities. It was a matter for concern that, regardless of United Nations resolutions and assurances by the Cuban Government that it was moving towards a more open and pluralistic society, the economic embargo on Cuba continued.

82. Her organization was concerned at the proposed development of the Ilisu dam on the Tigris in Turkey, which would not only destroy a Kurdish town and a number of villages but would also affect the water supply to Iraq, thus causing economic and environmental problems that might destabilize the region.

83. Kurdish people in Turkey were denied the right to exercise their national and cultural identity, including the free use of their language. The Turkish Penal Code meted out heavy prison terms to anyone advocating views deemed undesirable by the establishment, especially those in defence of the rights of the Kurdish people. Over 100 prisoners of conscience had been sentenced on those grounds. A former prime minister had recently been sentenced to a year's imprisonment for expressing his views.

STATEMENT BY THE DEPUTY MINISTER OF JUSTICE OF VIET NAM

84. Mr. HA HUNG CUONG (Viet Nam) said that despite many difficulties experienced as a consequence of the war, his Government had focused on establishing and strengthening the legal system, especially with respect to the incorporation of human rights and fundamental freedoms for all. The goal was to build a State based on the rule of law and to provide for the equal rights and obligations of all citizens. As part of the national renewal process, new legislation had been enacted in a number of important areas, to promote civil and political, as well as the economic, social and cultural rights. With a view to enhancing the effectiveness of State machinery and of the legal system, efforts were under way to enhance grass-roots participation in political, economic and social decision-making and to provide legal education for the general public.

85 After many years of conflict, Vietnamese people deemed the collective and individual right to development to be particularly vital. The national renewal process aimed at promoting that right in all its aspects, and was based on the understanding of the interdependence of economic development and social policy.

86 Viet Nam continued to attach the highest priority to poverty alleviation, despite being a low-income country and having to support millions of war victims. Consequently, over 20 per cent of the State's limited budget was devoted to social development. Significant progress had been made in poverty eradication: the number of poor people had been reduced from 30 per cent in 1992 to less than 16 per cent in 1998. His Government had also set poverty reduction targets and established credit facilities for the poor.

87 Every country was faced with the long-term challenge of ensuring human rights more effectively. In that connection, it was important that a Government should continually uphold its human rights objectives and pursue consistent policies towards that goal.

STATEMENT BY THE MINISTER OF HIGHER EDUCATION OF TUNISIA

88 Mr. CHAABANE (Tunisia) said that effective steps must be taken to deal with the deteriorating human rights situation in many parts of the world. For its part, Tunisia had opted for a balanced approach to economic and political liberalization that had brought social tranquillity and sustainable development. His Government's development policy was based on the interdependence of politics and economics, and had produced consistent levels of growth in GDP. Inflation had been reduced, life expectancy increased, social welfare provision had been extended to the greater part of the population and the numbers of those living in poverty had been much reduced.

89 Because economic growth had not been achieved at the expense of social benefits, his country had been spared unrest. While religious fanaticism was on the increase in every part of the region, modernization and tolerance continued to prevail in Tunisia. Other societies were still denying women the most basic civil rights, but Tunisian women enjoyed all of them since his Government believed that the participation of women in economic life and political institutions was the best defence against fundamentalism. The number of females in higher education outnumbered males and the fertility rate had been reduced to some 1.2 per cent. The future for women in Tunisia looked bright, therefore, with an equitable balance between the family and society.

90 The eradication of poverty and the fight against marginalization were considered to be an obvious way of eliminating political tension and avoiding the renaissance of fundamentalist movements. The belief in solidarity prevalent in his country had created a new sense of civic responsibility among young people. Voluntary contributions to a solidarity programme had brought real development benefits to more than 1,000 rural communities. In view of the success of that programme, the President of Tunisia had urged that an international solidarity fund should be created. Such a fund could help reduce the disparities brought about by globalization and, in countries as yet unable to compete, slow the growth of poverty and marginalization. His

Government thus appealed to all international organizations to increase their endeavours in that field and bring pressure to bear on decision makers and transnational companies to create such a fund.

91. His Government had promulgated courageous laws to liberalize the political process, notwithstanding the risk of such liberalization being exploited by extremists. It was more important than ever to work for understanding and solidarity and to outlaw all forms of discrimination. A new set of recommendations, legislation and mechanisms was needed in order to promote a culture in keeping with the new, liberal and globalized economy.

92. He hoped that the forthcoming World Conference against Racism, Racial Discrimination, Xenophobia and All Forms of Discrimination would adopt practical measures that would help to eradicate racism and bring about new tolerance and understanding. The success of the Commission's current session in promoting tolerance, understanding and the affirmation of the right to development would ensure a better future for all, enable challenges to be overcome and bring security and prosperity to all.

The meeting rose at 1 p.m.